

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 106, "Deer Hunting by Residents," Iowa Administrative Code.

The amendments allow this chapter to conform to 2009 Iowa Acts, Senate File 187 [new Iowa Code section 483A.8C]. 2009 Iowa Acts, Senate File 187, specifies that a nonambulatory person who is a resident may be issued one any sex deer license which is valid and may be used to hunt deer with a shotgun or muzzleloading rifle during any established deer season. This license is in addition to any other deer license for which the person is eligible. The person must purchase this deer license and is required to have a hunting license but is not required to pay the habitat fee. The legislation requires the Commission to adopt rules to implement the new Iowa Code section.

Notice of Intended Action was published in the Iowa Administrative Bulletin on July 29, 2009, as **ARC 8015B**. A public hearing was held on August 18, 2009. There were no comments received at the hearing or in writing. There have been no changes made to the Notice.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.24, and 483A.24B and 2009 Iowa Acts, Senate File 187.

These amendments shall become effective December 9, 2009.

The following amendments are adopted.

ITEM 1. Adopt the following new subrule 106.1(9):

**106.1(9) Nonambulatory deer hunting licenses.** The commission shall issue licenses in conformance with 2009 Iowa Acts, Senate File 187. A person applying for this license must provide a completed form obtained from the department of natural resources. The application shall be certified by the applicant's attending physician with an original signature and declare that the applicant is nonambulatory using the criteria listed in 2009 Iowa Acts, Senate File 187. A medical statement from the applicant's attending physician that specifies criteria met shall be on 8½" × 11" letterhead stationery. The attending physician shall be a currently practicing doctor of medicine, doctor of osteopathy, physician assistant or nurse practitioner.

ITEM 2. Amend **571—Chapter 106**, implementation sentence, as follows:

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.24, and 483A.24B, and 483A.24C and 2009 Iowa Acts, Senate File 187.

[Filed 10/14/09, effective 12/9/09]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 11/4/09.